

REMARKS

1. Rejection of Claims 1-5 Under 35 U.S.C. § 103

Claims 1-5 stand rejected under 35 U.S.C. § 103 as being unpatentable over Kortum (US 2003/0079028) in view of Kamada (6,381,637), further in view of Ramaswamy (6,423,892). In view of the amendment to the claims and the remarks, applicant respectfully traverses this rejection.

The Examiner recites the elements of applicant's claim 1 and states that the primary reference to Kortum discloses all of the elements of claim 1, and correctly points out that Kortum does not disclose the second half of clause 1 of claim 1 ("each of the pieces of link information 1 specifying a different linked server..."), nor does Kortum disclose the entire third clause of claim 1. Such elements correctly indicated by the Examiner as completely missing from Kortum, encompass a majority of the limitations of claim 1.

The Examiner then cites the secondary reference to Kamada as providing the missing elements such that it would be obvious to combine Kortum and Kamada to arrive at applicant's claimed invention. Applicant respectfully submits that the Examiner may be misapprehending the technical aspects of the cited references.

Specifically, the Examiner states that Kortum discloses a menu screen obtaining unit configured to obtain a menu screen including pieces of link information for *potential* display on the menu screen. Such claimed subject matter corresponds to the first half of clause 1 of claim 1. However, Kortum does not disclose what is recited immediately above because of the inclusion of the phrase "for *potential* display on the menu screen" in claim 1. The term "*potential*" is significant in the claim because applicant's claimed invention is directed to a terminal and menu screen that minimizes the distractions presented to the user. The claimed invention minimizes such distractions by permitting

only the display of link information that is truly available, thus the link has the *potential* to be displayed. If the content of a link is not available, for what ever reason, such as low RF signal connectivity, that link is not even presented to the user. This is the meaning of the phrase “for *potential* display on the menu screen,” because the link may be displayed or it may not be displayed, based on its corresponding connection status.

In that regard, the first half of clause 1 (claim 1), which the Examiner states is disclosed in Kortum, is similar to the second half of clause 1 (claim 1), which the Examiner admits is not disclosed in Kortum, again because of the recitation of the phrase “*potentially* displayed on the menu screen.” Both statements cannot be simultaneously true. Applicant submits that Kortum does not teach or suggest the subject matter of either the first half or the second half of clause 1 (claim 1) as set forth below.

In that regard, Kortum does not teach obtaining pieces of link information for *potential* display, and further, the portions of Kortum cited in the Office Action do not support the Examiner’s position. To support the rejection, the Examiner cites Figures 4 and 9 of Kortum. However, Figures 4 and 9 teach away from applicant’s claimed invention, which recites “including ... for *potentially* display on the screen,” because in Kortum, all of the link information acquired is displayed. There is no option or decision in the Kortum process to inhibit displaying of the acquired information based on any criteria whatsoever. Everything that is acquired in the Kortum system is displayed, even if its content is unavailable. This is clearly shown as the “unavailable” or “disconnected” menu icons 204, 224, and 234 in Figure 4.

Kortum is directed to a unified interface for a DSL service in which all available information is provided to a user. Obviously, this interface is intended for use in a stationary environment because a DSL connection is land-line based, and is not adapted for a mobile

environment. The problems overcome by applicant's invention in a mobile environment are not relevant to Kortum's land-line based system. In applicant's claimed invention, such display of unavailable information or disconnected channels in a vehicle system would cause user distraction. This is exactly the problem that applicant's claimed invention overcomes because such unavailable information is not presented to the user at all. Figure 9 of Kortum shows similar icons, and even shows "troubleshooting" icons 107, 117, which clearly indicate that problem links are definitely presented to the user. The Kortum specification discloses that:

Troubleshoot buttons 107, 117 may be selected by the subscriber to identify the nature of a pending problem with respect to a corresponding Internet connection, which will be provided to the subscriber on the subscriber's display. (Kortum, ¶[0048], emphasis added).

As shown, the music service is unavailable as evidenced by the status lamp 223 being illuminated and the unavailable indication on status indicator 224. Further, connect button 225 for the music service is non-active, another indication that the music service is unavailable. (Kortum, ¶[0050], emphasis added).

Clearly, Kortum does not obtain data for "*potential*" display. Rather, the information obtained by Kortum is displayed regardless of whether the user can access the information or not. Applicant respectfully submits that Kortum is missing certain claimed elements of applicant's invention. Further, the cited secondary reference to Kamada does not supply the elements clearly missing from Kortum. With respect to the tertiary reference to Ramaswamy, applicant submits that Ramaswamy is similar to and cumulative to Kamada and provides no further elements that are already missing from the primary reference to Kortum.

Accordingly, combining Kortum and Kamada (or in combination with Ramaswamy) does not produce applicant's claimed invention, thus applicant submits that claim 1 is not

unpatentable over the combination of Kortum and Kamada. Further, applicant submits that dependent claims 2-5 are also not unpatentable over the combination of Kortum and Kamada for the same reasons that independent claim 1 is not unpatentable.

2. Rejection of Claims 6-11 Under 35 U.S.C. § 103

Claims 6-11 stand rejected under 35 U.S.C. § 103 as being unpatentable over Kortum in view of Kamada (6,381,637), and further in view of Ramaswamy and Hashimoto (6,999,754). In view of the amendment to the claims and the remarks, applicant respectfully traverses this rejection. As a preliminary matter, applicant is unsure if the Examiner meant to include dependent claim 6 in this portion of the rejection because claim 6 depends from claim 1, whereas this portion of the rejection appears to focus on independent claim 7 and its corresponding depending claims 8-11.

Applicant reasserts the above arguments with respect to claims 6-11 because Hashimoto is similar to and cumulative to the secondary and tertiary references, and provides no further elements that are already missing from the primary reference to Kortum. Because independent claim 7 includes limitations similar to claim 1, the arguments supporting independent claim 1 set forth above are applicable to independent claim 7 and its corresponding dependent claims.

3. Rejection of Claims 12-20 Under 35 U.S.C. § 103

Claims 12-20 stand rejected under 35 U.S.C. § 103 as being unpatentable over Kortum in view of Kamada (6,381,637), and further in view of Ramaswamy, Hashimoto, and Nakano (US 2002/0128768). In view of the amendment to the claims and the remarks, applicant respectfully traverses this rejection. Applicant reasserts the above arguments with respect to claims 12-20 because Nakano is also similar to and cumulative to the secondary and tertiary references, and provides no further elements that are already missing from the

primary reference to Kortum. Also, independent claim 18 includes limitations similar to claim 1, the arguments supporting independent claim 1 set forth above are applicable to independent claim 18 and its corresponding dependent claims.

SUMMARY

Applicant respectfully submits that all of the pending claims are in condition for allowance and seeks allowance thereof. If Examiner believes that an interview would be helpful to resolve any issues, the Examiner is respectfully requested to call the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eric D. Cohen", written over a horizontal line.

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